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TO

Enlarge the Jurisdiction of the Civil Bill Courts in Ireland in respect to the recovery of Balances due on partnership Accounts, and in respect of Actions involving Questions of Title to corporeal and incorporeal Hereditaments. A.D. 1874.

WHEREAS it is expedient to enlarge the jurisdiction of the Civil Bill Courts in Ireland in respect to the recovery of balances due on partnership accounts, and in respect of actions involving questions of title to corporeal or incorporeal hereditaments:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the authority of the same, as follows:

1. The Chairmen of every county in Ireland shall have jurisdiction to try by civil bill actions for the recovery of any debt or demand not exceeding *forty pounds* alleged to be due as the balance of a partnership account, whether the balance shall have been ascertained or not previous to the issuing of the civil bill; and such chairmen shall also have jurisdiction to try by civil bill actions in which the title to any corporeal or incorporeal hereditament shall come in question, when the value of the land in dispute, or in respect of which the easement or license is claimed, or on, through, over, or under which such easement or license is claimed, shall not exceed *one hundred pounds* by the year as valued under the Acts relating to the valuation of rateable property in Ireland; but the decision of the chairmen in any action in which the title to any corporeal or incorporeal hereditament shall be in question shall not be evidence of title between the parties or their privies in any other action relating to any other corporeal or incorporeal hereditament, although the same may depend in the whole or in part on the same title.

Balances of partnership accounts, whether ascertained or not at the time of the issuing process, not exceeding 40*l*, and actions involving title to corporeal or incorporeal hereditaments, may be brought in the civil bill court, but decisions in the latter cases shall not be evidence of title in other actions.

2. The defendant in any civil bill in which the title to a corporeal or incorporeal hereditament shall be in question may, at Proceedings in cases involving title

[Bill 152.]

to corporate
or incorpo-
rated heredi-
taments
may be
stayed in the
civil bill
court and
ordered to be
heard in the
superior
courts by
order of the
judge.

When the
Act shall
come into
force, and
how it is to
be construed.

any time after the service of the civil bill on him, apply to a judge of Her Majesty's High Court of Justice in Ireland for a summons to the plaintiff to show cause why such action shall not be tried in one of the divisions of the High Court of Justice in Ireland; and on the hearing of such summons the judge may 5 order, on such terms as he may think proper to impose, that the proceedings in the civil bill court shall be discontinued, and that such action shall be tried in one of the divisions of the High Court of Justice in Ireland.

3. This Act shall come into force on the *first day of January one* 10 *thousand eight hundred and seventy-five*, and shall be construed as one Act with the Act of the fourteenth and fifteenth year of Her Majesty, chapter fifty-one, and the several Acts amending or altering the same.

Civil Bill Courts
(Ireland).

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B I L L

To enlarge the Jurisdiction of the Civil Bill Courts in Ireland in respect to the recovery of Balances due on Partnership Accounts, and in respect of Actions involving Questions of Title to escheat and incorporeal Hereditaments.

(Prepared and brought in by
Sir Colman O'Loghlin and Mr. McQuibbin
Deputies.)

Ordered, by The House of Commons, to be Printed,
16 June 1876.

[Bill 152.]

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